

SLANDER OF FEMALES.

In one of my late legislative epistles, I promised to send you a sketch of the eloquent and feeling speech of Mr. Hulbert, on the bill introduced by him to authorize females to bring actions of slander without compelling them to prove special damages. The promise would have been more promptly redeemed, were it not for an expectation then that the bill would soon be under discussion again, when it would have been more convenient to have disposed of the whole matter at once. The session, however, has drawn so near a close, that there is little prospect of rescuing this bill from the gulf already yawning to receive the mountain-pile of unfinished business, beneath which the Speaker's table has for weeks been groaning. Lest, therefore, the speech should likewise be swallowed up and forgotten, I hasten to snatch it from the rapid stream down which it is floating to oblivion. And in doing this, I am persuaded that I shall not only perform an act highly acceptable to the ladies, but cause their eloquent and chivalrous defender every where to be received with their sweetest smiles on his return from the legislature. Such a recompense alone can reward a man for the sacrifices of time, and labor, and money, incident to the station; and if my gallant friend does not receive it, then are our ladies no true daughters of her who made earth a Paradise to Adam even after they had been driven from the blissful bowers of Eden. But the speech, as Mark Anthony said of Caesar's will—we forget the speech:

Mr. Hulbert said, he rejoiced that the time had come, when the committee had an opportunity of legislating on a subject which could not fail to be interesting to all gallant and honorable men. He congratulated gentlemen on the happy occasion. He would not detain them with preliminary remarks, but would hasten to the merits of the question.

The plain object of the bill, he said, was to authorize any female person, who should be falsely and maliciously accused by any one, of prostitution or incontinency, to maintain an action of slander against such accuser, without proof of any special damage. He said, as the law then stood, no such action could be maintained, without such proof. This was a fact, which would undoubtedly surprise and astonish many who heard him, and he therefore felt himself bound to show that his statement of the law was correct. He then cited two cases settled in the Supreme court of this State, in which it is decided, that words charging a married woman with adultery, and these words, "she is a common prostitute, and I will prove it," are not in themselves actionable. He read a part of the opinion delivered in the first mentioned case by the then Chief Justice Kent, in which that great jurist says, "We can only say with lord Holt, 'such words are a great scandal, if we could, we would maintain an action, but the law has ordered otherwise.'"

Such, then, said Mr. Hulbert, is the law of our country. But it is not that law which protects the innocent and punishes the guilty; it is not that law, (to use the language of Hooker,) whose voice is the harmony of the spheres, and whose seat is the bosom of God. No—it is a law in direct opposition to all the dictates of sober sense, and to all the generous, noble and gallant feelings of the heart.

He then proceeded to show, that while women are thus shamefully neglected, our own dear sex are treated with great kindness by the law. He cited several cases from the books, by which it appeared that it had been holden actionable to say of a Barrister or Attorney at Law, "He is a dunce, and will get nothing by his profession"—of a Physician, "He is no scholar"—of a Tradesman, "He is a sorry fellow, and a rogue, and compounded his debts at six shillings on the pound"—of a Justice of the Peace, "He is a debauched man, and not fit to be a Justice of the Peace." He commented sarcastically upon this last case. You must not, he said, calumniate his honor, or to speak with more profound respect, his worship;—No, he is a Justice of the Peace, and a gentleman; you must not call him a debauched man, for it will ruin his character. But you may slander, to your heart's content, his honor, or his worship's wife; it will not injure her reputation; and who cares if it does, she is no Justice of the Peace,—she is nothing but a woman!

Sir, said Mr. Hulbert, in these cases, which I have just mentioned, the law presumes damages, without waiting for any proof on that point; and yet,

charge a woman with the most infamous crime that she can possibly commit, and the law utterly withholds and denies such presumption. Can any thing be more unnatural and absurd! Why thus guard and defend the strong, and let the weak go unprotected? Why prop the oak, and leave the tender plant to struggle with the blast?

This rule of law, requiring proof of special damage, is extremely unjust and oppressive. In most cases of malicious slander, it would be impossible to give such evidence. There are no windows to the human heart; and the cause of its throbbing with distress, cannot be proved with human testimony. Sir, think of the wife of your bosom, or of the daughter whom you love, yesterday, conscious of innocence, she was enjoying happiness herself, & like a ministering angel dispensing it to you, and to all around her; to-day the cruel calumnies, which by some fiend in human shape, have long been circulated against her, have reached her ear. Like the vanishing of a dream, her happiness is gone. She sees the envious and malignant rejoicing in her ruin, and even in those, who still devotedly love her, she fancies she discovers suspicions and contempt. She shrinks from the face of a human being: her heart-strings are quivering with distress; and you behold the object of your fondest affections sinking to the grave. Go not to courts of justice for redress; you will be told that the law cannot presume any damages in such a case; you will be reminded that it is the lot of human beings to sicken, and to die, and that it may be the hand of Providence that is pushing to the grave the object of your love. No, it is not the hand of Providence! It is the poisonous breath of the slanderer, that has reached and tortured her heart, and blasted and withered her frame. But this fact you cannot establish; it is beyond the reach of technical proof, and the felon slanderer, like Satan in Eden, smiling at the misery he has created, stands acquitted by the law. Nay your avenging hand! chastise not this murderer of your peace, for the villain is protected by law; and for attempting to punish him for the crime he has committed, or to prevent the repetition of that crime, the sentence of the court may reduce you to poverty, drag you from your family and home, & plunge you into the dungeon of a prison.

Why should the proof of any damage be required? It cannot be doubted, that the artful and insidious whisper, or the bold assaults, of the calumniator, will, in most cases, if not in all, prove fatally injurious to the purest female character. And can reputation be lost, and no injury be suffered? What is life without character?—What virtuous female, after being dishonored and disgraced, would not willingly sink into the grave, to hide from infamy?

Tell me not that innocence will always be an impenetrable shield against the envenomed shafts of calumny. No, thousands of times, those shafts have pierced that shield, and reached the heart.

Nothing is more delicate than female character; nothing more perfectly susceptible of injury; and when once blighted it is like the flower severed from the stem, it withers, but never revives. Once stain that character, and sooner shall the Ethiopian change his skin, or the Leopard his spots, yes, sooner shall wool dyed with scarlet become white again, than that stain shall be washed away. Let a woman once lose her reputation, and like the star of the night she has fallen, never to rise again.

Sir, I would guard the reputation of woman with the flaming sword of the law. I would whip with the lash of the law, to the very marrow of his backbone, the vile calumniator. My heart swells with mingled emotions of indignation and pity, when I think of distress, which I have witnessed, and which was caused by cruel calumny. I speak now of no fictitious case. I speak of reality. I have seen the tears of the slandered orphan girl, and of her widowed mother.

"Tears so pure, so mild and meek,
They would stain an angel's cheek."

Once this interesting girl, to whom I allude, was as happy as the lot of humanity could allow. She was admired and beloved by all who knew her, and well she might be, for she was beautiful and virtuous; her heart was the very sanctuary of truth, innocence and love, and her character was

Pure and unsullied as the orient snow.
By the bleak northern blast twice sifted o'er.
But the slanderer came, and that character and that happiness were blasted forever. O, where should she fly for protection? To the temple of justice? No; those laws afford her no redress—the doors of that temple were barred against

her. Should she fly to an affectionate father? Alas, the clods of the valley lay heavy on his heart: the arm that would once have smitten to the ground her vile and infamous accuser, was mouldering in the dust. Where, then, should she look for consolation? Surely, not this side the grave. She could only wait for death, and look to that place where the wicked shall cease from troubling, and the weary shall be at rest.

And who is this that thus scatters ruin and misery in his path, and is allowed to go unpunished and unpunishable by the laws of your country? It is that accursed fiend, "whose tongue out-venoms all the worms of Nile," at whose Upas touch the fairer and better part of creation withers and dies. It is the cold blooded slanderer, he who has a worse excuse to give for the sins he commits, and the misery he creates, than might be offered by the murderer himself. An unhappy man, in the desperation of the moment, rushes into the street, and plunges the dagger into the heart of the traveller. What urged this murderer to the dreadful deed? It was no malice against his fellow being. It was the cries of his wife and children for food and raiment. Horrid as in the sight of heaven and earth this excuse must be, still it is better than the slanderer can offer. He destroys character, and consequently happiness, without the hope of any benefit to himself. He is actuated solely by that principle which Milton so justly ascribes to the father of lies, the arch fiend himself—

"Evil, be thou my good."

Sir, let us pass this bill. Let us protect those whom Heaven has made weak, that we might love them for their very weakness; and in return, be loved by them for the protection we should afford. Let us scourge the vile calumniator, until his mouth shall be hermetically sealed.

If there be a man among us, who is not ardently in favor of this measure, I pronounce him no genuine descendant of Adam. Surely he cannot be the offspring of that man, who was unhappy, even in paradise, until woman appeared. And if any one shall dare to vote against this bill, I earnestly pray that he may receive the severest punishment that ever was, or ever can be inflicted upon a man, in this world—the frowns of beautiful women.



"The Tyrant's foe—the People's friend"

OXFORD GAZETTE.

WEDNESDAY, MAY 4, 1825.

COAL.

We have recently seen several specimens of COAL, not at all inferior to the Wilkesbarre, found at different places on the banks of the Chenango river, and we have every reason to believe that the hills along this river are well stored with this valuable mineral. It is highly probable that the rich veins of Coal which abound on the Susquehanna, extend up the Chenango, and are of the same quality as those 200 miles below us. The Commissioners for surveying the route for a Canal, will soon commence the performance of their duties, and as the actual existence of extensive Coal Mines would probably have considerable influence in determining the route, we would recommend a diligent search where there are strong indications of it. The fortune of any man is sure, who discovers a Coal Mine on his farm. We will with pleasure receive and exhibit any specimens which may be forwarded to us.

Appointments.—The Hon. Nathaniel Pitkin of Washington county, James D. Hammond esq. of Albany and Colonel George Morell of Cooperstown, have been appointed State Road commissioners under the act to provide for the survey of a land communication between Lake Erie and the Hudson River.

Gen. Obadiah German and David Woods were nominated by the Governor as appraisers on the Erie and Champlain canals. The nomination of Judge Woods was confirmed by the Senate, and that of Gen. German rejected. Joseph D. Selden esq. of Troy was nominated in the place of Gen. German, and the nomination was confirmed.

FOR THE GAZETTE.

When we compare the age in which we live with those that have gone before us, and which are now only seen through the medium of antiquity, we indulge a pleasurable sensation, in tracing a gradual amelioration in the condition of life, in marking that progress of intellectual exertion which has multiplied the materials of thought, and expanded the sources of rational and cultivated existence. In discharging those duties which we owe to ourselves and to others in the intercourse of life, feeling that we recognize a code of inspiration, we look back upon

those systems of morals which were once the ornaments of antiquity and declare with more severity than truth how mean their writings look."

If we would view the doctrines which distinguished the Sages of antiquity with the same liberality of feeling which they indulged, an admiration of their tenets would lead us to look to the sources from which the mind, unaided by revelation, could have formed a system so practically applicable to the duties of life, so wisely framed to make men virtuous and to keep them so."

They differed not so much from the Christian religion in the principles which they taught, as in the means of enforcing them. Aided by no other sanction than the intrinsic merit and utility of their maxims, their attention was more exclusively directed to the practical duties of life. Judging of every action by the effects which it was calculated to produce on the individual and upon others, the greatest sum of his enjoyments was made to consist in the performance of every duty, intimately blending his virtue and his happiness. Their systems though imperfect when compared with divine revelation were the result of their own reflection. Doctrines which do not claim to emanate from any higher source than human reason, and rest upon this as their only foundation, cannot gain a reception until they have borne the test of scrutiny: their tendency is examined and their principles understood.

The scriptures are presented to us under the character of a divine sanction. The precepts they inculcate, like the mysteries they contain, are often received through the medium of faith: and the free application of human reason to their illustration would be regarded as an invasion of the sanctuary of religion. The zealous votary, absorbed in mysteries and doctrinal theology, often displays a narrowness of mind and illiberality of sentiment, which would have driven him from the schools of Plato and Aristotle.

Could the volume of inspiration have been unfolded to the sages of antiquity, they would have admired that sublimity which contains within itself the evidence of its divinity: presenting the most elevated views of the Deity, enforcing every duty by the purest and noblest motives of action. Had they been told that under this religion ages of controversy and persecution would be spent in determining whether man might worship as he pleased, that even in the most enlightened periods the followers of this religion should remain separated from each other, by metaphysical distinctions on the freedom of attractions or even in the forms in which man shall worship his Maker, in controverting whether much or little water should be used, or the degree of zeal with which that worship should be conducted; that more should be written, and more publicly taught, on abstract divinity than practice duty, they would turn from such a perversion to the schools of Pagan Philosophy to learn the useful lessons of existence.

For the Oxford Gazette.

CHRONICLES.—CHAP. I.

And it came to pass that a certain king who was great among the people, even among all nations, made a feast and commanded many to come in and sup with him, and they came in from the north from the south from the east and from the west even a mighty host.

And there was one Hiram a Soothsayer who by adoption belonged to the tribe of Levi, also attended the feast of the king.

And Hiram being a man of letters even in many tongues lifted up his voice and spake as one having authority.

And he spake many things inasmuch that the king was sore vexed, and he commanded Hiram the soothsayer to take his wife and his children and to depart even into far country.

And Hiram was sorely grieved because of the command of the king for Hiram by birth belonged to the royal house of Stuart.

And it came to pass that Hiram gathered together his children with Sarah his wife & departed as he had been bidden by the king to the sea coast.

And when he and his little ones had sailed many days he landed on the other side of the sea.

And after they had landed they travelled a great way seeking for a place to pitch their tent: and they came to the province of one Thomas the Juntaerat.

And when they had come to that province Hiram said unto his wife yearly I say unto thee this place above all others is the one of my heart.

And he said here will I pitch my tent—and Sarah said do I beseech thee as seemeth good in thy sight.

And Hiram pitched his tent and dwelt in that place many days.

And when he had prepared a place for his wife and little ones he consulted with them and said, now we are in the land of freedom behold I will lift up my voice and stretch forth my hands and say unto the congregation if ye will listen unto me I will instruct you in all things that are just and lawful.

And it was so that the congregation of the city hearkened unto the saying of Hiram as he had desired them to do.

And moreover they were well pleased with the marvelous sayings of him who spake in a manner too wonderful for them for it was in an unknown tongue.

And it came to pass about these days that a strife arose among the people throughout all the land concerning whom they would have to rule over them.

While some said they would have Francis the Fiddler others said they would have

Bully the Beef-man and none other to rule over them.

Now Hiram was a man of strong appetite and loved beef more than all other meats beside.

And now it happened that there was a sore famine in the land grievous and hard to be borne.

And Hiram said in his heart I would fain return to my master Bully the Beef-man, who has enough and to spare, but I dare not for I am an apostate and shall find no favour in his sight.

And in the bitterness of his soul he cried out, Oh for a souper in congregation for a souper, hot from the pot of Francis the Fiddler.

Now it came to pass that his congregation were friends to Bully the Beef-man inasmuch that they were highly incensed at the words of Hiram which they said were not lawful for him to utter even in secret places.

And they said unto him, get thee gone thou hypocrite, for it is written thou shalt not covet that which belongeth to another even thine enemy.

And moreover there is death in the pot of Francis the Fiddler and thou shalt not eat thereof lest thou die in the land and offend the nostrils of the congregation forever and ever.

And Hiram was exceedingly wroth because of the sayings of the congregation inasmuch that his countenance fell and he rent his mantle and shook the dust from his feet.

And he took his household and departed for the land of Simeon a Province far distant in the land of Fredonia.

To be Continued.

The Legislature adjourned on the 21st inst. after a session of 108 days, during which 326 bills, passed, mostly of a local nature. The following summary, of their most important proceedings, is copied from the Argus:—

The appropriations during the present session, for purposes of local and general improvement, independent of any small sums for the construction of roads, but including the final appropriation for the northern and western canals, amount to about one million of dollars. Among the important works upon which these sums are authorized to be expended, are the following: The Cayuga and Seneca Canal, which the navigation between the Seneca lake & the Erie canal will be rendered perfect, \$150,000. The improvement of the navigation of the Oswego river, \$100,000. Draining the Cayuga Marshes, &c. \$30,000. The completion of the Feeder at Glen Falls, \$40,000. The survey of the seventeen canal routes, \$12,500. And an appropriation for the survey of a State Road from Lake Erie to the Hudson.

Other laws and recommendations of a general and important nature have been adopted during the present session: among these, the reader will recollect the act providing for the choice of Presidential electors by district; the proposition for the extension of the elective franchise; another for the election of justices of the peace; the amended mode of a revision of the laws; the amendment of the general tax law; the extension of the time of sale of lands for quit rents;—and for the appointment of appraisers of damages arising from the canals.

This has been a session of able and long reports. Of these, the annual report of the Canal Commissioners, the annual report of the Commissioners of the Canal Fund, and their report of a digested system for the regulation of the canals, the annual report of the Comptroller, several able reports from the Attorney General, and the State Prison report, are conspicuous, as are also, many reports from the various standing and select committees.

Fraudulent Bankruptcies.

We have been requested to publish the following sections of "An act to prevent fraudulent bankruptcies by incorporated companies, to facilitate proceedings against them, and for other purpose."

Be it enacted by the People of the State of New York, represented in Senate and Assembly, That the book or books of any incorporated company in this state, in which the transfer of stock in any such company shall be registered, and the books containing the names of the stockholders in any such company, shall, at all reasonable times during the usual hours of transacting business, be open to the examination of every stockholder of such company for thirty days previous to any election of directors; and if any officer having charge of such books, shall, upon demand by any stockholder as aforesaid, refuse or neglect to exhibit such books, or submit them to examination as aforesaid, he shall for every such offence forfeit the sum of two hundred and fifty dollars, the one moiety thereof to the use of the people of this state, and the other moiety to him who will sue for the same, to be recovered by action of debt in any court of record, together with the costs of such suit.

And be it further enacted That it shall not be lawful for the directors or managers of any incorporated company in this state, to make dividends, excepting from the surplus profits arising from the business of such corporation; & it shall not be lawful for the directors of any such company to divide withdraw, or in any way pay to the stockholders, or any of them, any part of the capital stock of such company, or to reduce the said capital stock, without the consent of the legislature; and it shall not be lawful for the directors of such company to discount or receive any note, or other evidence of debt, with the intent of enabling any stockholder in such company to withdraw any part of the money paid in by him on his stock; and in case of any violation of the provisions of this section, the directors under whose administration the same may have hap-

pened, except caused their directors entered at large said directors a present when the shall, in their capacities, jointly or severally, to the said creditors thereof dissolution, to the capital stock of divided, withdrawn, reduced, and to notes or other evidence of debt, stock, and to the notes or other evidence of debt, with legal interest sums from the accrued; and the directors shall be law or in equity, for any sum made liable by That this section to prevent a tion of the capital company which shall ment of all its c tion of its char-

And be it further enacted That the directors shall and may be held ney-general of the by made his duty appear to him, that any incor solvent, and un or is in imminen or that it has vi visions of the a company; and for any credito to apply, by p chancery, or to having jurisdiction facts and circum and upon its court, that suc or in imminent that it has violat of the act incor it shall and court to issue strain such com from exercising or franchises g porating such other act, and ceiving any de out, or in any the monies or e until such cor and it shall be in any stage of point a receive nies, and effect and to distribut fair and honest just proportion

And be it further enacted That the provisions of any act passed by the Legislature, in relation to the incorporation of companies, shall not apply to any company which shall be incorporated by or under the authority of the Legislature, after the passage of this act.

Slavery abolished.—The General Assembly of the Province of New York, have passed a bill to abolish slavery within the jurisdiction of the State. The bill provides that no person shall be held in slavery. The bill also provides that every province, territory, or colony, shall be free from duties, special purposes, or management of the State, to the junta of the State, shall be established under the regu-

Colombia.—W. gena papers to M. Bogota papers to Capt. Palmer.

Our correspond the 31st, that a don a few days lars.

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